

## STATE OF SOUTH CAROLINA

## (Caption of Case)

Certification of the Use of Universal Service Funds  
pursuant to 47 C.F.R. Sections 54.313 and 54.314  
and Telecommunications Act Section 254(e)  
Federal Communication Commission CC Docket No.  
96-45

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

## COVER SHEET

## DOCKET

NUMBER: 2006 - 180 - C

(Please type or print)

Submitted by: Margaret M. FoxSC Bar Number: 65418Address: McNair Law Firm, P. A.Telephone: 803-799-9800P. O. Box 11390Fax: 803-753-3219Columbia, SC 29211

Other: \_\_\_\_\_

Email: pfox@mcnair.net

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

**DOCKETING INFORMATION** (Check all that apply)☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☐ Other: \_\_\_\_\_**INDUSTRY** (Check one)**NATURE OF ACTION** (Check all that apply)☐ Electric☐ Affidavit☒ Letter☐ Request☐ Electric/Gas☐ Agreement☐ Memorandum☐ Request for Certification☐ Electric/Telecommunications☐ Answer☐ Motion☐ Request for Investigation☐ Electric/Water☐ Appellate Review☐ Objection☐ Resale Agreement☐ Electric/Water/Telecom.☐ Application☐ Petition☐ Resale Amendment☐ Electric/Water/Sewer☐ Brief☐ Petition for Reconsideration☐ Reservation Letter☐ Gas☐ Certificate☐ Petition for Rulemaking☐ Response☐ Railroad☐ Comments☐ Petition for Rule to Show Cause☐ Response to Discovery☐ Sewer☐ Complaint☐ Petition to Intervene☐ Return to Petition☒ Telecommunications☐ Consent Order☐ Petition to Intervene Out of Time☐ Stipulation☐ Transportation☐ Discovery☐ Prefiled Testimony☐ Subpoena☐ Water☐ Exhibit☐ Promotion☐ Tariff☐ Water/Sewer☐ Expedited Consideration☐ Proposed Order☐ Other:☐ Administrative Matter☐ Interconnection Agreement☐ Protest☐ Other:☐ Interconnection Amendment☐ Publisher's Affidavit☐ Late-Filed Exhibit☐ Report

# McNAIR LAW FIRM, P.A.

ATTORNEYS AND COUNSELORS AT LAW

Margaret M. Fox

[www.mcnaire.net](http://www.mcnaire.net)

BANK OF AMERICA TOWER  
1301 GERVAIS STREET, 11<sup>th</sup> FLOOR  
COLUMBIA, SOUTH CAROLINA 29201

POST OFFICE BOX 11390  
COLUMBIA, SOUTH CAROLINA 29211  
TELEPHONE (803)799-9800  
FACSIMILE (803)376-2219

August 1, 2008

Mr. Charles L. A. Terreni  
Chief Clerk/Administrator  
South Carolina Public Service Commission  
Synergy Business Park, The Saluda Building  
101 Executive Center Drive  
Columbia, South Carolina 29210

Re: Certification of the Use of Universal Service Funds pursuant to 47 C.F.R.  
§§ 54.313 and 54.314 and Telecommunications Act § 254(e)  
Federal Communication Commission CC Docket No. 96-45

Dear Mr. Terreni:

HTC Communications, LLC ("HTCC") (Study Area No. 249004), a designated competitive eligible telecommunications carrier in the State of South Carolina, hereby requests that the Public Service Commission of South Carolina ("Commission") submit a letter to the Federal Communications Commission ("FCC") and the Universal Service Administrative Company ("USAC") verifying that HTCC is in compliance with section 254(e) of the Telecommunications Act. Attached is an affidavit from an officer of HTCC attesting to the fact that Federal Universal Service Funds will be used as intended in compliance with Section 254(e) of the Telecommunications Act.

The FCC's rules require that, in order for carriers to receive the federal support for which they are eligible, state commissions must file an annual certification with USAC and the FCC stating "that all federal high-cost support provided to such carriers will be used only for the provision, maintenance and upgrading of facilities and services for which the support is intended." See 47 C.F.R. §§ 54.313 and 54.314. These certifications must be submitted by the state commission prior to October 1 of each year in order for the companies to receive the full federal funding for which they are eligible in the following calendar year. Id.

HTCC respectfully requests that the Commission issue a letter to the FCC and USAC certifying that HTCC is in compliance with section 254(e) of the Act.

HTCC has separately filed with the Commission its "ETC Annual Report," pursuant to proposed Commission regulation 103.690.1. Given the existing reporting requirements, along with the fact that the certification required by 47 C.F.R. §§ 54.313 and 54.314 is prospective in nature (i.e., the certification filed in October is for the following calendar year), HTCC believes that self-certification is appropriate, and that the Commission may rely on such certification.

**McNAIR LAW FIRM, P.A.**

ATTORNEYS AND COUNSELORS AT LAW

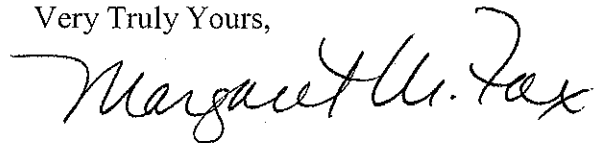
August 1, 2008

Page 2

HTCC respectfully requests that the Commission accept the attached affidavit as self-certification that HTCC is in compliance with section 254(e), and that the Commission issue a letter to the FCC and USAC prior to October 1, 2008, notifying them that HTCC is eligible to receive federal universal service support in accordance with Section 254(e) of the Telecommunications Act and 47 C.F.R §§ 54.313 and 54.314.

Please let me know if you have any questions about this matter or if we can provide anything further.

Very Truly Yours,

A handwritten signature in cursive script, reading "Margaret M. Fox".

Margaret M. Fox

cc: Florence P. Belser, Esquire  
Joseph M. Melchers, Esquire  
James E. Spearman, Ph.D.  
Doug Pratt  
Sherri Jones

**AFFIDAVIT**

STATE OF SOUTH CAROLINA

COUNTY OF Horry

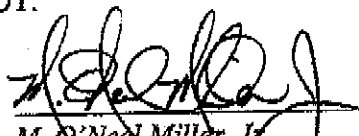
COMPANY: *HTC Communications, LLC*  
STUDY AREA NUMBER: 249004

PERSONALLY APPEARED BEFORE ME the undersigned WHO, BEING  
DULY SWORN, deposed and said:

1. My name is M. O'Neal Miller, Jr.. I am employed by *HTC Communications, LLC* (the "Company") as its *Chief Executive- Financial Operations*.. I am an officer of the Company and am authorized to give this affidavit on behalf of the Company. This affidavit is being given to support the Public Service Commission of South Carolina's certification as contemplated in 47 C.F.R. §54.313 and §54.314.

2. *HTC Communications* hereby certifies that it will use the federal high-cost support it receives during 2009 only for the provision, maintenance and upgrading of facilities and service for which such support is intended.

FURTHER AFFIANT SAYETH NOT.

  
M. O'Neal Miller, Jr.  
Chief Executive- Financial Operations

Subscribed to and sworn before me this 30<sup>th</sup> day of July 2008.

Nancy V. Moore  
NOTARY PUBLIC FOR SOUTH CAROLINA

Nancy V. Moore  
Printed Name of Notary

My Commission Expires: April 16, 2017